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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/815,815      | 04/02/2004  | Chan Ching           | BHT-3123-122        | 9380             |

7590 05/11/2005

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| EXAMINER |
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NASRI, JAVAID H.

|          |              |
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| ART UNIT | PAPER NUMBER |
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2839

DATE MAILED: 05/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|--------------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/815,815 | <b>Applicant(s)</b><br>CHING, CHAN |  |
|                              | <b>Examiner</b><br>Javaid Nasri      | <b>Art Unit</b><br>2839            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____.  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.   | 6) <input type="checkbox"/> Other: ____.                                    |

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan, R. O. C. on 3/10/2004. It is noted, however, that applicant has not filed a certified copy of the foreign application as required by 35 U.S.C. 119(b).

### *Abstract*

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In the instant case the abstract contains form and legal phraseology "said".

### *Claim Objections*

3. Claims 1-6 are objected to because of the following informalities:
  - a) The claims are generally narrative and indefinite, failing to conform with current U.S. practice and are replete with grammatical and idiomatic errors.
  - b) In claim 1, line 2, "the electric metal-pin" lacks antecedent base.

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- c) In claim 5, line 2, it is not clear what the applicant meant by “the melting joint”
- d) In claim 6, line 2, “said LED” lacks antecedent base.
- e) In claim 6, line 2, “said detecting transistor” lacks antecedent base.

**Note: These are few examples only. Applicant is required to check all the claims and correct them accordingly.**

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ballman (5,188,542) in view of Scanlon et al (4,400,412).

Ballman discloses, **for claim 1**, an embedded positioned block arranged on the periphery of the electric metal-pin of the power plug (see figures 2, 3, 6), therefore, users can be noted or warned that said power plug is under unusual temperature increasing condition, **for claim 5**, the melting joint between said electric metal-pin and a power wire is extendedly connected with a detecting transistor and a light emitting diode (LED 54), and the top of said LED is exposed outside the surface of said electric plug, hence, when said detecting transistor detects that said power plug is overloaded, said LED will be flashed to note or warn users that the temperature of said power

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plug is abnormally increasing (see figures 1 and 2), for claim 6, the LED connected with said detecting transistor is embedded into the external body of said power plug,

However, Ballman does not disclose:

- a) For claim 1, a thermochromic film is coated on the surface of the embedded positioned block. Scanlon et al discloses a thermochromic film coated on a surface, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Ballman to have a thermochromic film coated on the surface of the embedded positioned block in view of Scanlon et al so that by color change of the thermochromic film on the power plug after said power plug is over loaded.
- b) For claims 1 and 4, the external body of said power plug is made by injection modeling with transparent PVC/thermochromic material. Official notice is taken that plugs made by injection modeling is well known in the art, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Ballman to have the external body of said power plug made by injection modeling with transparent PVC, thermochromic material for economic purpose.
- c) For claim 2, said embedded positioned block is printed with warning characters made of thermochromic materials. Official notice is taken that printing warning characters is well known in the art, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the

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invention for Ballman to have said embedded positioned block to be printed with warning characters made of thermochromic materials to catch the attention of the operator quickly.

- d) For claim 3, said external body of said power plug made by injection modeling is injected by mixing the thermochromic materials with PVC. Official notice is taken that using a mixer of thermochromic materials with PVC for injection modeling is well known in the art; therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Ballman to have a mixer of thermochromic materials with PVC for injection modeling for visual attraction.


#### **Contact**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Javaid Nasri  
Primary Examiner  
Art Unit 2839

JN  
Jhn  
May 9, 2005